

Message: Re: Amendment we discussed**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387913
Policy Action: Not Specified

✉ Re: Amendment we discussed

From samuelhlee@mindspring.com **Date** Monday, April 10, 2017 10:09 PM
To Scott, Todd
Cc Samuel Lee
Journal todd.scott@governor.mo.gov
Recipients

Todd,

I've looked at SB 43, and only if certain phrases or certain subsections are taken completely in isolation from the rest of the bill, could one remotely think that this might affect the ability of pro-life employees to obtain redress under sections 188.100 to 188.120, section 191.724 or section 197.032.

Also, one would have to argue that SB 43 is repealing by implication those and similar sections of law that protects the conscience rights of those who are opposed to abortion. There is certainly no explicit repeal of those provisions. That, in my opinion, would be a stretch.

And, these pro-life protections are all separate from and in separate chapters from chapters 213 ("Human Rights") and 285 ("Employers and Employees Generally"), which is the subject matter of SB 43.

It is perfectly legitimate to have general rules of treatment of employees (and their rights of redress), while at the same time having separate treatment - maybe even increased benefits or protection for employees in certain fields.

In this case, I don't think the general rule of employment law will be interpreted by the courts as swallowing up the specific rule of employment law for certain types of employees, or employees in certain conditions.

Finally, I don't know how E. E. Keenan represented himself in his letter to the governor, to lawmakers or to whomever, but he is certainly no friend of the pro-life movement. In 2012, he and his law firm filed suit in Cole County Circuit Court against Sen. John Lamping's SB 749 (section 191.724), claiming that it violates federal law by denying women contraceptive and sterilization coverage: http://www.kclaborlaw.com/uploads/CLUW_v._State_-_Petition.pdf

That case was voluntarily dismissed by Keenan on behalf of the plaintiffs the following year,

per CaseNet: 12AC-CC00607 - GREATER KANSAS CITY ET AL V STATE OF MO ET AL

Keenan is also quoted here:

- <http://news.stpublicradio.org/post/mo-legislature-votes-override-veto-birth-control-bill>
- <https://www.law360.com/employment/articles/377849/mo-exempts-insurers-employers-from-contraception-mandates>

Todd, it may be that SB 43 is not as artfully drafted as it could be, but I don't see the threat to pro-life efforts that others may be insinuating.

Sam Lee

-----Original Message-----

From: "Scott, Todd"
Sent: Apr 10, 2017 4:31 PM
To: 'Samuel Lee'
Subject: Amendment we discussed

Sam – Here's a summary I received of the discussion that occurred in committee. The amendment failed but perhaps we could see it resurface on the floor.

Thanks.

HCA 3 ending in .13h FAILED 4-9, with Corlew, Cornejo, DeGroot, Haahr, McGaugh, Phillips, Rehder, Hill, and Lant voting no. Offered by Rep. White – White explained that this amendment would remove the exclusive remedy language from the bill. He reasoned that the way the bill is currently written making this law the exclusive remedy is too broad and could consequently put into question laws in Chapter 188 which protect doctors and nurses from being penalized for refusing to perform abortions. He added it might also affect our child labor laws. He feared that leaving this language in the bill would conflict with all of our existing employment related laws in other chapters.

- Rep. Corlew argued that one law cannot repeal another. He added that the presumption is always that the intent to repeal must be clearly expressed. Rep. White stated again that this would at the least create a conflict that would have to be decided by the courts.
- Rep. Mitten argued that the wording of the bill is not ambiguous. Furthermore, we specifically abrogate all cases. If this is saying it is the exclusive remedy, courts will say it means what it says. She added that this amendment would give a better chance for remedy against the wrongdoers.
- Rep. Corlew thanked Rep. Mitten for pointing out to that the amendment would actually bring the individual back into liability.

Todd Scott
Sr. Legislative/Policy Advisor
Office of Gov. Eric Greitens
(573) 751-3222 - Main
[REDACTED] - Mobile

Message: Re: Amendment we discussed**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387914
Policy Action: Not Specified

✉ Re: Amendment we discussed

From Scott, Todd **Date** Tuesday, April 11, 2017 7:48 AM
To samuelhlee@mindspring.com
Cc

Thank you Sam. I very much appreciate your thoughtful analysis of this issue. Todd
Sent from my iPhone

On Apr 10, 2017, at 10:09 PM, "samuelhlee@mindspring.com" <samuelhlee@mindspring.com> wrote:

Todd,

I've looked at SB 43, and only if certain phrases or certain subsections are taken completely in isolation from the rest of the bill, could one remotely think that this might affect the ability of pro-life employees to obtain redress under sections [188.100](#) to [188.120](#), section [191.724](#) or section [197.032](#).

Also, one would have to argue that SB 43 is repealing by implication those and similar sections of law that protects the conscience rights of those who are opposed to abortion. There is certainly no explicit repeal of those provisions. That, in my opinion, would be a stretch.

And, these pro-life protections are all separate from and in separate chapters from chapters 213 ("Human Rights") and 285 ("Employers and Employees Generally"), which is the subject matter of SB 43.

It is perfectly legitimate to have general rules of treatment of employees (and their rights of redress), while at the same time having separate treatment - maybe even increased benefits or protection for employees in certain fields.

In this case, I don't think the general rule of employment law will be interpreted by the courts as swallowing up the specific rule of employment law for certain types of employees, or employees in certain conditions.

Finally, I don't know how E. E. Keenan represented himself in his letter to the governor, to lawmakers or to whomever, but he is certainly no friend of the pro-life

movement. In 2012, he and his law firm filed suit in Cole County Circuit Court against Sen. John Lamping's SB 749 (section 191.724), claiming that it violates federal law by denying women contraceptive and sterilization coverage: http://www.kclaborlaw.com/uploads/CLUW_v._State_-_Petition.pdf

That case was voluntarily dismissed by Keenan on behalf of the plaintiffs the following year, per CaseNet: 12AC-CC00607 - GREATER KANSAS CITY ET AL V STATE OF MO ET AL

Keenan is also quoted here:

- <http://news.stlpublicradio.org/post/mo-legislature-votes-override-veto-birth-control-bill>
- <https://www.law360.com/employment/articles/377849/mo-exempts-insurers-employers-from-contraception-mandates>

Todd, it may be that SB 43 is not as artfully drafted as it could be, but I don't see the threat to pro-life efforts that others may be insinuating.

Sam Lee

-----Original Message-----

From: "Scott, Todd"
Sent: Apr 10, 2017 4:31 PM
To: 'Samuel Lee'
Subject: Amendment we discussed

Sam – Here's a summary I received of the discussion that occurred in committee. The amendment failed but perhaps we could see it resurface on the floor.

Thanks.

HCA 3 ending in .13h FAILED 4-9, with Corlew, Cornejo, DeGroot, Haahr, McGaugh, Phillips, Rehder, Hill, and Lant voting no. Offered by Rep. White – White explained that this amendment would remove the exclusive remedy language from the bill. He reasoned that the way the bill is currently written making this law the exclusive remedy is too broad and could consequently put into question laws in Chapter 188 which protect doctors and nurses from being penalized for refusing to perform abortions. He added it might also affect our child labor laws. He feared that leaving this language in the bill would conflict with all of our existing employment related laws in other chapters.

- Rep. Corlew argued that one law cannot repeal another. He added that the presumption is always that the intent to repeal must be clearly expressed. Rep. White stated again that this would at the least create a conflict that would have to be decided by

the courts.

- Rep. Mitten argued that the wording of the bill is not ambiguous. Furthermore, we specifically abrogate all cases. If this is saying it is the exclusive remedy, courts will say it means what it says. She added that this amendment would give a better chance for remedy against the wrongdoers.
- Rep. Corlew thanked Rep. Mitten for pointing out to that the amendment would actually bring the individual back into liability.

Todd Scott
Sr. Legislative/Policy Advisor
Office of Gov. Eric Greitens
(573) 751-3222 - Main
[REDACTED] - Mobile

Message: Re: Hi Jake, how are you?**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387915
Policy Action: Not Specified

✉ Re: Hi Jake, how are you?

From Kathy Thebo **Date** Tuesday, April 11, 2017 12:16 PM
To Buxton, Jake
Cc
Journal jake.buxton@governor.mo.gov
Recipients

Hi Jake, was wondering if you knew when we might find out about our meeting request for the Governor?

Thank you and a blessed Easter!

Kathy Forck

From: Kathy Thebo <kathythebo@hotmail.com>
Sent: Thursday, April 6, 2017 9:00:26 PM
To: Buxton, Jake
Subject: Re: Hi Jake, how are you?

Thanks for getting back to me so quickly Jake! Our electricity was out as they replaced a pole and I am just now getting back to my computer!

I have filled out the request. Thank you again so much and I look forward to hearing from you!

In Christ,
Kathy Forck

From: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Sent: Wednesday, April 5, 2017 7:14:41 PM
To: 'Kathy Thebo'
Subject: RE: Hi Jake, how are you?

Hey Kathy,

Great to hear from you! If you could, just fill this short meeting request form out so I can take it to the team to check out his calendar! Thanks!

From: Kathy Thebo [mailto:kathythebo@hotmail.com]
Sent: Wednesday, April 05, 2017 4:04 PM
To: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Subject: Re: Hi Jake, how are you?

Hi Jake, how are you doing? I was contacting you to see about scheduling an appointment with the governor at his earliest convenience. Myself and three other people would like to talk to him about incidents that have happened in regards to Planned Parenthood in St. Louis. Thank you so much for your assistance in this matter! Please let me know when the best time would be. Thank you. Kathy Forck [REDACTED]

Sent from my iPhone Kathy Forck

On Mar 15, 2017, at 12:35 PM, Kathy Thebo <kathythebo@hotmail.com> wrote:

Hi Jake,

Time has passed so quickly since our MidWest March for Life. We were pleased that Governor Greitens mentioned us on his FB account! It was so nice to meet you during that very busy time!

Our 40 Days for Life would like to extend an invitation to the Governor and his family to attend our Closing Rally/Dinner of the 40 Days for Life. It would be such a blessing to have Governor Greitens and his family to attend and if he would be so kind as to express his thoughts to the grassroots gathering of 125 to 150 people. It was so awesome and refreshing to hear Governor Greitens at the Missouri Right to Life Rally yesterday.

The details are:

40 Days For Life Closing Rally/Dinner

Saturday, April 29

St Andrew Church, 400 St Andrew Dr, Holts Summit

Time: Doors open at 6pm, Dinner at 7pm, Program 7:30pm and ends approximately 8:45pm

We will thank God for His blessings upon the 40 Days during the period March 1 through April 9.

And Jake, you are most certainly invited to attend. I have asked Reagan Nielsen Barklage to be our guest speaker and she is checking her schedule.

I also wanted to share with you that there was another medical emergency at the St Louis Planned Parenthood on Saturday, March 11. This was to be expected as an ambulance shows up every 41 or 42 days at this facility in St Louis since 2009 as documented by 911 calls. We have a document that shows each of these incidents and many photos of the women being brought out on stretchers. If you would like, I can share this document with you. It is appalling. Our website: www.womenmustbesafe.com

Women Must Be Safe

www.womenmustbesafe.com

Women and men on both sides of the issue are urged to join us in blowing the whistle and to unite around our shared and deep concern for the safety of women by ...

Warmest regards,

Kathy Forck
40 Days For Life Campaign Manager

Message: RE: Hi Jake, how are you?**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387916
Policy Action: Not Specified

✉ RE: Hi Jake, how are you?

From Buxton, Jake **Date** Tuesday, April 11, 2017 2:17 PM
To 'Kathy Thebo'
Cc

Hi Kathy,

We will have a team meeting closer to the end of this week to discuss the Governor's schedule for the coming weeks. I or a member of our team will be in touch soon!

Thanks

From: Kathy Thebo [mailto:kathythebo@hotmail.com]
Sent: Tuesday, April 11, 2017 12:16 PM
To: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Subject: Re: Hi Jake, how are you?

Hi Jake, was wondering if you knew when we might find out about our meeting request for the Governor?

Thank you and a blessed Easter!

Kathy Forck

From: Kathy Thebo <kathythebo@hotmail.com>
Sent: Thursday, April 6, 2017 9:00:26 PM
To: Buxton, Jake
Subject: Re: Hi Jake, how are you?

Thanks for getting back to me so quickly Jake! Our electricity was out as they replaced a pole and I am just now getting back to my computer!

I have filled out the request. Thank you again so much and I look forward to hearing from you!

In Christ,
Kathy Forck

From: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Sent: Wednesday, April 5, 2017 7:14:41 PM
To: 'Kathy Thebo'
Subject: RE: Hi Jake, how are you?

Hey Kathy,

Great to hear from you! If you could, just fill this short meeting request form out so I can take it to the team to check out his calendar! Thanks!

From: Kathy Thebo [<mailto:kathythebo@hotmail.com>]
Sent: Wednesday, April 05, 2017 4:04 PM
To: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Subject: Re: Hi Jake, how are you?

Hi Jake, how are you doing? I was contacting you to see about scheduling an appointment with the governor at his earliest convenience. Myself and three other people would like to talk to him about incidents that have happened in regards to Planned Parenthood in St. Louis. Thank you so much for your assistance in this matter! Please let me know when the best time would be. Thank you. Kathy Forck [REDACTED]

Sent from my iPhone Kathy Forck

On Mar 15, 2017, at 12:35 PM, Kathy Thebo <kathythebo@hotmail.com> wrote:

Hi Jake,

Time has passed so quickly since our MidWest March for Life. We were pleased that Governor Greitens mentioned us on his FB account! It was so nice to meet you during that very busy time!

Our 40 Days for Life would like to extend an invitation to the Governor and his family to attend our Closing Rally/Dinner of the 40 Days for Life. It would be such a blessing to have Governor Greitens and his family to attend and if he would be so kind as to express his thoughts to the grassroots gathering of 125 to 150 people. It was so awesome and refreshing to hear Governor Greitens at the Missouri Right to Life Rally yesterday.

The details are:

40 Days For Life Closing Rally/Dinner

Saturday, April 29

St Andrew Church, 400 St Andrew Dr, Holts Summit

Time: Doors open at 6pm, Dinner at 7pm, Program 7:30pm and ends approximately 8:45pm
We will thank God for His blessings upon the 40 Days during the period March 1 through April 9.

And Jake, you are most certainly invited to attend. I have asked Reagan Nielsen Barklage to be our guest speaker and she is checking her schedule.

I also wanted to share with you that there was another medical emergency at the St Louis Planned Parenthood on Saturday, March 11. This was to be expected as an ambulance shows up every 41 or 42 days at this facility in St Louis since 2009 as documented by 911 calls. We have a document that shows each of these incidents and many photos of the women being brought out on stretchers. If you would like, I can share this document with you. It is appalling. Our website: www.womenmustbesafe.com

Women Must Be Safe

www.womenmustbesafe.com

Women and men on both sides of the issue are urged to join us in blowing the whistle and to unite around our shared and deep concern for the safety of women by ...

Warmest regards,

Kathy Forck
40 Days For Life Campaign Manager

Message: Re: Hi Jake, how are you?**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387917
Policy Action: Not Specified

✉ Re: Hi Jake, how are you?

From Kathy Thebo **Date** Tuesday, April 11, 2017 2:29 PM
To Buxton, Jake
Cc
Journal Jake.Buxton@governor.mo.gov
Recipients

Oh thank you so much!!!

Sent from my iPhone Kathy Forck

On Apr 11, 2017, at 2:17 PM, Buxton, Jake <Jake.Buxton@governor.mo.gov> wrote:

Hi Kathy,

We will have a team meeting closer to the end of this week to discuss the Governor's schedule for the coming weeks. I or a member of our team will be in touch soon!

Thanks

From: Kathy Thebo [<mailto:kathythebo@hotmail.com>]

Sent: Tuesday, April 11, 2017 12:16 PM

To: Buxton, Jake <Jake.Buxton@governor.mo.gov>

Subject: Re: Hi Jake, how are you?

Hi Jake, was wondering if you knew when we might find out about our meeting request for the Governor?

Thank you and a blessed Easter!

Kathy Forck

From: Kathy Thebo <kathythebo@hotmail.com>

Sent: Thursday, April 6, 2017 9:00:26 PM

To: Buxton, Jake

Subject: Re: Hi Jake, how are you?

Thanks for getting back to me so quickly Jake! Our electricity was out as they replaced a pole and I am just now getting back to my computer!

I have filled out the request. Thank you again so much and I look forward to hearing from you!

In Christ,
Kathy Forck

From: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Sent: Wednesday, April 5, 2017 7:14:41 PM
To: 'Kathy Thebo'
Subject: RE: Hi Jake, how are you?

Hey Kathy,

Great to hear from you! If you could, just fill this short meeting request form out so I can take it to the team to check out his calendar! Thanks!

From: Kathy Thebo [<mailto:kathythebo@hotmail.com>]
Sent: Wednesday, April 05, 2017 4:04 PM
To: Buxton, Jake <Jake.Buxton@governor.mo.gov>
Subject: Re: Hi Jake, how are you?

Hi Jake, how are you doing? I was contacting you to see about scheduling an appointment with the governor at his earliest convenience. Myself and three other people would like to talk to him about incidents that have happened in regards to Planned Parenthood in St. Louis. Thank you so much for your assistance in this matter! Please let me know when the best time would be. Thank you. Kathy Forck [REDACTED]

Sent from my iPhone Kathy Forck

On Mar 15, 2017, at 12:35 PM, Kathy Thebo <kathythebo@hotmail.com> wrote:

Hi Jake,

Time has passed so quickly since our MidWest March for Life. We were pleased that Governor Greitens mentioned us on his FB account! It was so nice to meet you during that very busy time!

Our 40 Days for Life would like to extend an invitation to the Governor and his family to attend our Closing Rally/Dinner of the 40 Days for Life. It would be such a blessing to have Governor Greitens and his family to attend and if he would be so kind as to express his thoughts to the grassroots gathering of 125 to 150 people. It was so awesome and refreshing to hear Governor Greitens at the Missouri Right to Life Rally yesterday.

The details are:

40 Days For Life Closing Rally/Dinner

Saturday, April 29

St Andrew Church, 400 St Andrew Dr, Holts Summit

Time: Doors open at 6pm, Dinner at 7pm, Program 7:30pm and ends approximately 8:45pm

We will thank God for His blessings upon the 40 Days during the period March 1 through April 9.

And Jake, you are most certainly invited to attend. I have asked Reagan Nielsen Barklage to be our guest speaker and she is checking her schedule.

I also wanted to share with you that there was another medical emergency at the St Louis Planned Parenthood on Saturday, March 11. This was to be expected as an ambulance shows up every 41 or 42 days at this facility in St Louis since 2009 as documented by 911 calls. We have a document that shows each of these incidents and many photos of the women being brought out on stretchers. If you would like, I can share this document with you. It is appalling. Our website: www.womenmustbesafe.com

Women Must Be Safe

www.womenmustbesafe.com

Women and men on both sides of the issue are urged to join us in blowing the whistle and to unite around our shared and deep concern for the safety of women by ...

Warmest regards,

Kathy Forck

40 Days For Life Campaign Manager

Message: *PRIORITY* HCS HB 57 (special victim) HB 909 (human remains) SB 493 (health care decision-maker) SB 513 (testimonies of victims and witnesses) SB 499 (blood alcohol or drug content) SJR 5 (impeachment trials) SB 414 (public safety administration)

Case Information:

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387918
Policy Action: Not Specified

✉ *PRIORITY* HCS HB 57 (special victim) HB 909 (human remains) SB 493 (health care decision-maker) SB 513 (testimonies of victims and witnesses) SB 499 (blood alcohol or drug content) SJR 5 (impeachment trials) SB 414 (public safety administration)

From Rademann, Megan **Date** Tuesday, April 11, 2017 3:56 PM
To OA.Hearing & Floor Action
Cc

The Senate Judiciary and Civil and Criminal Jurisprudence Committee met yesterday afternoon. All members were present at some point during the hearing except Sen. Silvey.

Public Hearing

PRIORITY HCS HB 57 (Haefner) Relating to penalty enhancements for certain offenses, with penalty provisions. Enhances the penalty for certain crimes when the victim is a special victim.

Rep. Haefner gave an overview of the bill.

- Sen. Emery inquired if crimes against a law enforcement officer are already against the law. Haefner stated this bill adds to the list of crimes.
- Haefner and Emery discussed the term special victim.
- Emery stated his concern for an individual not knowing the person was a law enforcement officer. Haefner stated there wouldn't be an enhanced penalty; that is why it is not mandatory.
- Haefner stated her concern for threats against a law enforcement officer's family members.
- Emery inquired if Haefner expects the number of crimes to decrease or the penalty to increase only. Haefner stated the crimes will be taken more seriously.
- Emery stated an individual isn't going to check the statute before committing the crime to look up the penalty.
- Sen. Onder stated the difference between a general intent to hit an individual and a specific intent to hit an individual because they are a law enforcement officer.
- Onder stated law enforcement officers are "the right way to draw the line". Onder stated that it is important to show we want to protect law enforcement officers.

Support

Brad Thielemier, Missouri State Troopers Association

- Thielemier told a story about a law enforcement officer that was targeted.
- Chappelle-Nadal stated individuals experience trauma when they see a law enforcement officer.
- Chappelle-Nadal inquired how the relationship can be built between law enforcement officers and the communities. Thielemier stated this issue is statewide and troopers are trying to improve it.
- Chappelle-Nadal stated there needs to be a policy for tear gas.

*Ian Dunlap, Missouri Department of Public Safety**Sheldon Lineback, Missouri Police Chiefs Association*

- Stated he brought a letter from the Sheriff's Association for their support as well.

Opposition

None

HB 909 (Fraker) Relating to the disposition of human remains. Authorizes the next-of-kin of a deceased person to delegate control of the final disposition of the remains.

Rep. Fraker gave an overview of the bill.

- Fraker stated an example would be the next-of-kin being in the military and unable to make the decision.

Support*Don Otto, Missouri Funeral Directors and Embalmers Association*

- Otto informed Sen. Emery that currently it is unclear how this should be handled. Otto stated this bill clears up what is allowed.
- Otto stated an example would be a husband dying and a wife being away for weeks.
- Otto informed Emery there have been six calls received in the last two months that were requested to track down the next-of-kin to get a signature.
- Sen. Onder clarified the difference from a durable power of attorney.
- Otto informed Sen. Dixon the section crossed out in the bill is to avoid a repeat in the language.

*Scott Penman, Missouri Association of Public Administrators***Opposition**

None

Rep. Fraker stated the bill passed House Consent and requested it be Consent in the Senate.

SB 493 (Hegeman) Relating to the appointment of a designated health care decision-maker.

Authorizes a health care decision-maker to make health care decisions for an incapacitated patient who does not have a person with legal authority to consent for the patient.

Sen. Hegeman gave an overview of the bill.

Support

David Durbin, VOYCE

- Durbin informed Sen. Emery that a person with dementia wouldn't know their health condition or be able to make a decision; this bill allows the spouse to make the decision.
- Durbin informed Emery the doctor would sign a form stating the individual is incapable of making a health care decision and it lets someone else decide. Durbin informed Emery this would apply to the patient's living situation, but the individual should get a guardian.
- Durbin informed Emery this bill doesn't hurt the guardianship process.

Kathy Butler, Attorney

- Stated she represents hospitals.

Tyler McClay, Missouri Catholic Conference

- Stated the health care person can rely on the decision without the fear of being sued.

*Susan Klein, Missouri Right to Life**Scott Marrs, Missouri Hospice Association**Jessica Pabst, SSM Health Care**Eric Wilson, The Missouri Bar***Opposition***Bob Reagan, Hospice Chaplain*

- Stated this bill allows an individual to make the decision of inserting a feeding tube for a dementia patient.

Clara Carroll Rodriguez, Alzheimer's Association

- Stated statistics for individuals with the Alzheimer's disease and individuals that don't have a guardian.
- Stated she would like the bill to go further, but it needs to include language for the individual's wishes before they become incapacitated for situations like nutrition, hydration, and a feeding tube; there needs to be a valid health care direction.

SB 513 (Dixon) Relating to information provided by certain witnesses with criminal matters. Modifies certain provisions relating to the testimonies of victims and witnesses.

Sen. Dixon gave an overview of the bill.

Support*Amy Fite, Missouri Association of Prosecuting Attorneys*

- Fite stated the bill protects an individual's personal information.
- Fite stated the Secretary of State's Office suggests limiting the Address Confidentiality Program to felony cases.
- Fite stated this bill limits the number of times children have to testify. Emery inquired what the defense council would say. Fite stated the process for the number of times an individual has to testify and children have to testify because of "Crawford".

- Fite stated this bill doesn't change anything relating to a trial.
- Fite stated a teacher could testify with the information a child has told them.

Emily van Schenkhof, Missouri KidsFirst

- Stated the criminal justice system is rough on children.
- Stated her concern with children being further harassed by the individual that doesn't want the child to testify.

Opposition

None

SB 499 (Onder) Relating to the offense of driving with prohibited blood alcohol or drug content, with penalty provisions.

Sen. Onder gave an overview of the bill.

- Onder stated his concern for the increase in impairment.

Support

Amy Fite, Missouri Association of Prosecuting Attorneys

- Stated that currently it is difficult to prove the limit.
- Stated her concern for people reacting differently to the same amount consumed.

Sheldon Lineback, Missouri Police Chiefs Association

Opposition

None

Executive Session

SJR 5 (Emery) Relating to impeachment trials. Requires the Senate, beginning January 1, 2019, to try all impeachments except for the impeachment of the Governor, which shall be tried by the Chief Justice of the Missouri Supreme Court.

- Amendment adopted by v.v. that changes the language for "present" to "elected".
- Adopted substitute by v.v.
- SCS SJR 5 voted **Do Pass**, 3-2. Sens. Sifton and Dixon voted no. Sen. Chappelle-Nadal was not present.

SB 414 (Riddle) Relating to the administration of public safety, with existing penalty provisions.

- Sheldon Lineback, Missouri Police Chiefs Association informed the committee of the four changes being made in the substitute. Lineback stated the substitute makes changes relating to a penalty for an agency missing a month of UCR (Uniform Crime Reporting), reporting requirements, and transparency and oversight of funds.
- Adopted substitute by v.v.
- SCS SB 414 voted **Do Pass**, 5-0. Sen. Chappelle-Nadal was not present.

The hearing was adjourned.

Megan Rademann
Office of Administration
Division of Budget and Planning
Missouri State Capitol, Room 129
Phone: (573) 751-9320
Fax: (573) 526-4811
Email: Megan.Rademann@oa.mo.gov

Message: *PRIORITY* HCS HB 57 (special victim) HB 909 (human remains) SB 493 (health care decision-maker) SB 513 (testimonies of victims and witnesses) SB 499 (blood alcohol or drug content) SJR 5 (impeachment trials) SB 414 (public safety administration)

Case Information:

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:21 AM
Item ID: 29388096
Policy Action: Not Specified

✉ *PRIORITY* HCS HB 57 (special victim) HB 909 (human remains) SB 493 (health care decision-maker) SB 513 (testimonies of victims and witnesses) SB 499 (blood alcohol or drug content) SJR 5 (impeachment trials) SB 414 (public safety administration)

From Rademann, Megan **Date** Tuesday, April 11, 2017 3:56 PM
To OA.Hearing & Floor Action
Cc

The Senate Judiciary and Civil and Criminal Jurisprudence Committee met yesterday afternoon. All members were present at some point during the hearing except Sen. Silvey.

Public Hearing

PRIORITY HCS HB 57 (Haefner) Relating to penalty enhancements for certain offenses, with penalty provisions. Enhances the penalty for certain crimes when the victim is a special victim.

Rep. Haefner gave an overview of the bill.

- Sen. Emery inquired if crimes against a law enforcement officer are already against the law. Haefner stated this bill adds to the list of crimes.
- Haefner and Emery discussed the term special victim.
- Emery stated his concern for an individual not knowing the person was a law enforcement officer. Haefner stated there wouldn't be an enhanced penalty; that is why it is not mandatory.
- Haefner stated her concern for threats against a law enforcement officer's family members.
- Emery inquired if Haefner expects the number of crimes to decrease or the penalty to increase only. Haefner stated the crimes will be taken more seriously.
- Emery stated an individual isn't going to check the statute before committing the crime to look up the penalty.
- Sen. Onder stated the difference between a general intent to hit an individual and a specific intent to hit an individual because they are a law enforcement officer.
- Onder stated law enforcement officers are "the right way to draw the line". Onder stated that it is important to show we want to protect law enforcement officers.

Support

Brad Thielemier, Missouri State Troopers Association

- Thielemier told a story about a law enforcement officer that was targeted.
- Chappelle-Nadal stated individuals experience trauma when they see a law enforcement officer.
- Chappelle-Nadal inquired how the relationship can be built between law enforcement officers and the communities. Thielemier stated this issue is statewide and troopers are trying to improve it.
- Chappelle-Nadal stated there needs to be a policy for tear gas.

*Ian Dunlap, Missouri Department of Public Safety**Sheldon Lineback, Missouri Police Chiefs Association*

- Stated he brought a letter from the Sheriff's Association for their support as well.

Opposition

None

HB 909 (Fraker) Relating to the disposition of human remains. Authorizes the next-of-kin of a deceased person to delegate control of the final disposition of the remains.

Rep. Fraker gave an overview of the bill.

- Fraker stated an example would be the next-of-kin being in the military and unable to make the decision.

Support*Don Otto, Missouri Funeral Directors and Embalmers Association*

- Otto informed Sen. Emery that currently it is unclear how this should be handled. Otto stated this bill clears up what is allowed.
- Otto stated an example would be a husband dying and a wife being away for weeks.
- Otto informed Emery there have been six calls received in the last two months that were requested to track down the next-of-kin to get a signature.
- Sen. Onder clarified the difference from a durable power of attorney.
- Otto informed Sen. Dixon the section crossed out in the bill is to avoid a repeat in the language.

*Scott Penman, Missouri Association of Public Administrators***Opposition**

None

Rep. Fraker stated the bill passed House Consent and requested it be Consent in the Senate.

SB 493 (Hegeman) Relating to the appointment of a designated health care decision-maker.

Authorizes a health care decision-maker to make health care decisions for an incapacitated patient who does not have a person with legal authority to consent for the patient.

Sen. Hegeman gave an overview of the bill.

Support

David Durbin, VOYCE

- Durbin informed Sen. Emery that a person with dementia wouldn't know their health condition or be able to make a decision; this bill allows the spouse to make the decision.
- Durbin informed Emery the doctor would sign a form stating the individual is incapable of making a health care decision and it lets someone else decide. Durbin informed Emery this would apply to the patient's living situation, but the individual should get a guardian.
- Durbin informed Emery this bill doesn't hurt the guardianship process.

Kathy Butler, Attorney

- Stated she represents hospitals.

Tyler McClay, Missouri Catholic Conference

- Stated the health care person can rely on the decision without the fear of being sued.

*Susan Klein, Missouri Right to Life**Scott Marrs, Missouri Hospice Association**Jessica Pabst, SSM Health Care**Eric Wilson, The Missouri Bar***Opposition***Bob Reagan, Hospice Chaplain*

- Stated this bill allows an individual to make the decision of inserting a feeding tube for a dementia patient.

Clara Carroll Rodriguez, Alzheimer's Association

- Stated statistics for individuals with the Alzheimer's disease and individuals that don't have a guardian.
- Stated she would like the bill to go further, but it needs to include language for the individual's wishes before they become incapacitated for situations like nutrition, hydration, and a feeding tube; there needs to be a valid health care direction.

SB 513 (Dixon) Relating to information provided by certain witnesses with criminal matters. Modifies certain provisions relating to the testimonies of victims and witnesses.

Sen. Dixon gave an overview of the bill.

Support*Amy Fite, Missouri Association of Prosecuting Attorneys*

- Fite stated the bill protects an individual's personal information.
- Fite stated the Secretary of State's Office suggests limiting the Address Confidentiality Program to felony cases.
- Fite stated this bill limits the number of times children have to testify. Emery inquired what the defense council would say. Fite stated the process for the number of times an individual has to testify and children have to testify because of "Crawford".

- Fite stated this bill doesn't change anything relating to a trial.
- Fite stated a teacher could testify with the information a child has told them.

Emily van Schenkhof, Missouri KidsFirst

- Stated the criminal justice system is rough on children.
- Stated her concern with children being further harassed by the individual that doesn't want the child to testify.

Opposition

None

SB 499 (Onder) Relating to the offense of driving with prohibited blood alcohol or drug content, with penalty provisions.

Sen. Onder gave an overview of the bill.

- Onder stated his concern for the increase in impairment.

Support

Amy Fite, Missouri Association of Prosecuting Attorneys

- Stated that currently it is difficult to prove the limit.
- Stated her concern for people reacting differently to the same amount consumed.

Sheldon Lineback, Missouri Police Chiefs Association

Opposition

None

Executive Session

SJR 5 (Emery) Relating to impeachment trials. Requires the Senate, beginning January 1, 2019, to try all impeachments except for the impeachment of the Governor, which shall be tried by the Chief Justice of the Missouri Supreme Court.

- Amendment adopted by v.v. that changes the language for "present" to "elected".
- Adopted substitute by v.v.
- SCS SJR 5 voted **Do Pass**, 3-2. Sens. Sifton and Dixon voted no. Sen. Chappelle-Nadal was not present.

SB 414 (Riddle) Relating to the administration of public safety, with existing penalty provisions.

- Sheldon Lineback, Missouri Police Chiefs Association informed the committee of the four changes being made in the substitute. Lineback stated the substitute makes changes relating to a penalty for an agency missing a month of UCR (Uniform Crime Reporting), reporting requirements, and transparency and oversight of funds.
- Adopted substitute by v.v.
- SCS SB 414 voted **Do Pass**, 5-0. Sen. Chappelle-Nadal was not present.

The hearing was adjourned.

Megan Rademann
Office of Administration
Division of Budget and Planning
Missouri State Capitol, Room 129
Phone: (573) 751-9320
Fax: (573) 526-4811
Email: Megan.Rademann@oa.mo.gov

Message: DNR grant programs**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387919
Policy Action: Not Specified

✉ DNR grant programs

From Tyler McClay **Date** Thursday, April 13, 2017 10:57 AM
To Scharf, Will
Cc
Journal Will.Scharf@governor.mo.gov
Recipients

Will,

Sending this e-mail so you have my contact information.

Tyler

Tyler McClay
General Counsel
[Missouri Catholic Conference](#)
600 Clark Ave. Jefferson City, MO 65101
573-635-7239

Message: Quotes**Case Information:**

Message Type: Exchange
Message Direction: External, Inbound
Case: GOV_10032017_Search
Capture Date: 10/3/2017 9:43:19 AM
Item ID: 29387920
Policy Action: Not Specified

Quotes

From Tyler McClay **Date** Thursday, April 13, 2017 11:54 AM
To Scharf, Will
Cc
Journal Will.Scharf@governor.mo.gov
Recipients

 [Quotes for Governor's Announcement on Removing Impediments to DNR Grants.docx](#)
(40 Kb HTML)

Will,

Will these quotes from Mike Hoey, Executive Director of the MCC, suffice for you?

Thanks.

Tyler

"We applaud the Governor's move to make sure these non-sectarian DNR grants and programs are available to all children without religious discrimination," said Mike Hoey, Executive Director of the Missouri Catholic Conference, the public policy agency for the Catholic Church in Missouri. "The education and safety of our children should be considered foremost in these grant programs, not the type of school the children attend."